

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56813 of 2015

Arising Out of PS.Case No. -6 Year- 2011 Thana -JAKKANPUR District- PATNA
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Birendra Prasad, S/o Late Anandi Prasad, R/o village- Raja Bazar, P.S.-
Jehanabad, Distt.- Jehanabad (Bihar).

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Shri Prakash Tiwari, Advocate
For the Opposite Party : Mr. Surendra Prasad Singh, APP
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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 18-07-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is in custody in connection with Special
Case No.3 of 2011 arising out of Jakkanpur P.S.Case No.06 of
2011 for an offence under Sections 20, 22 and 24 of the NDPS
Act.

The earlier bail application of the petitioner was
rejected vide Cr.Misc.No.21236 of 2012 and Cr.Misc.No.19039 of
2014. This is the third attempt for regular bail on behalf of the
petitioner. Petitioner is in custody since 09.01.2011. Chargesheet
has already been submitted in the case. Petitioner has got no
criminal antecedent. There is no allegation of tampering of
evidence against the petitioner. The other co-accused persons have
been granted bail by this Court vide Cr.Misc.No.40144 of 2014,

Cr.Misc.No.39918 of 2014, Cr.Misc.No.40173 of 2014 and Cr.Misc.No.2419 of 2015.

Considering the aforesaid facts and circumstances, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned **Additional Sessions Judge-XI, Patna** in connection with **Special Case No.03 of 2011** arising out of **Jakkanpur P.S.Case No.06 of 2011**, subject to the conditions that (1) both the bailors shall be a close relative of the petitioner, who will file affidavit showing their genealogy with the petitioner, (2) the bailors shall also to undertake to inform the Court about any change of address of the petitioner, (3) the petitioner shall not indulge in such activity further and if he indulges, then, the deponent must inform the Court about the indulgence of the petitioner and the Court below, itself, shall proceed to cancel the bail bond of the petitioner and (4) the petitioner shall appear in person in Court on each and every date, fixed in the case and any absence, on two consecutive dates, without any reasonable ground to the satisfaction of the Court below, shall be a ground of cancellation of bail of the petitioner by the lower Court itself.

B.Kr./-

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(Sudhir Singh, J)